

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

**PUBLIC HEARING AND
REGULAR MEETING**

June 1, 2015

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman	John Neal	Logan Nicoll
Brett Sanderson	Bruce Schmidt	

STAFF PRESENT:

Frank Heald	Rose Goings
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OTHERS PRESENT:

Bill Davis	Nancy Martel	Larry Wilfong
Justin Hyjek	Ted Reeves	Ed McEneaney (LPC-TV)
Alan Isaacson	Herb Van Guilder	
John Martel		

PUBLIC HEARING

PROPOSED DISCONTINUANCE OF DR. CAREY CAMP ROAD

1. Howard Barton called the public hearing to order at 7:00 p.m.
2. Frank Heald advised that there is a proposal before the board for the town to “throw up” Dr. Carey Camp Road and that the two abutting property owners have agreed to this and to how the driveway would be handled when the town was no longer a town road. A site visit was made, this evening by three board members along with himself. He suggests continuation of the discontinuance process.
3. Herb Van Guilder advised that it is a sad day for the community to lose Dr. Carey Camp Road. Dr. Carey was a doctor in Ludlow for many years and many members of the community were brought into this world by him. It is sad to see the honor to him being given up.
4. Frank Heald said that there is no reason why the road can't be called by the same name, it will just be a private road and no longer maintained by the town.
5. Herb Van Guilder asked if continued use of the name is in the agreement and if not, could it be made a condition of the agreement.
6. **MOTION by Bruce Schmidt and seconded by John Neal to discontinue Dr. Carey Camp Road as a town road and as part of the agreement, that the name Dr. Carey Camp Road will stay the same after the road is discontinued. Motion passed unanimously.**
7. Frank Heald noted that someone had already removed the sign.
8. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to close this hearing. Motion passed unanimously.**

SELECT BOARD
REGULAR MEETING

1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:10 p.m.
- B. All members present.

2. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the regular meeting of May 4, 2015
- B. **MOTION by John Neal and seconded by Logan Nicoll to approve the minutes of May 4, 2015. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Award 2015 Backhoe/Loader Bid**

- A. Frank Heald advised that the committee met on 5/28/2015 and opened the bids in the presence of the town clerk, highway foreman, town manager, Nortrax and Milton Cat representatives. The highway foreman has carefully reviewed the bids and has recommended proceeding with the low bid.

DEALER	YEAR	MAKE	NET BID	NOTES
NorTrax	2015	John Deere 410L	\$90,500	\$135,500 less trade of \$45,000 (options available)
Milton Cat	2015	Cat 430 FZ11	\$115,000	\$155,000 less trade of \$40,000 (options available)
Townline Equipment	2015	Case 590 Super N	\$120,794	\$140,794 less trade of \$20,000
CR Woods		Notice by email – discontinued their Volvo line		

- B. Bruce Schmidt asked if the prices increase with the options available.
- C. Ron Tarbell said the price actually decreased.
- D. Bruce Schmidt asked by how much and what year is the old one.
- E. Bill Davis said it is a 2008 with 7,500 hours.
- F. Frank Heald said the price decreased by \$5,750.
- G. **MOTION by John Neal and seconded by Logan Nicoll to accept the bid from Nortrax as presented. Motion passed unanimously.**

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- H. Frank Heald said that the price is lower than what had been budgeted and they would like to purchase an additional item. They would like to purchase a snow basket push machine that, in the winter would replace the bucket. The cost would be \$6,750.
 - I. Howard Barton said that would bring the total to \$91,500.
 - J. Bruce Schmidt said the board has just removed mileage from the town maintenance. What did they use before?
 - K. Ron Tarbell said they rented equipment from Totem Pole.
 - L. Howard Barton asked what had been budgeted.
 - M. Frank Heald said \$110,000.
 - N. Bill Davis said this piece of equipment will cut plowing time down.
 - O. **MOTION by Bruce Schmidt and seconded by John Neal to approve the purchase of the snow basket for the new loader for \$6,750. Motion passed unanimously.**

5. **Discuss & Approve Transfer Station Rates**

- A. Frank Heald said that the proposed rate sheets are in the packets and they have tried to produce sheets that explain what we are doing. One change is the residential sticker is the same, but will include 52 bags. The business permits are the same and the over the scale rate is the same. The only issue with the business permits is that the truck drivers will have to provide to the state, certification that they comply with state mandates. He said that the town will not be enforcing it and he is not sure who will. He referred to page 4 of the document and noted that mandated recyclables are free to the disposer. He said that appliances and batteries are the same as before. The town will retain returnable bottles and that metals are the same. He said that there will be wrinkles, but the state has signed off on this.
- B. Bruce Schmidt asked if a contractor buys the \$100 permit and has to provide certification, is he still charged \$.07/lb. over the scale.
- C. Frank Heald said yes. He added that an individual, who picks up for condos, would remove the recycling before he would go over the scales.
- D. Bruce Schmidt asked if all recyclables would be put in one can and then into one dumpster.
- E. Frank Heald said yes.
- F. Bruce Schmidt said that would be single stream.
- G. Frank Heald said yes. He added that returnable bottles and as much glass as possible would be removed. He said we currently take that to Springfield at \$25/Ton plus trucking. He said this is evolving daily. He said that within the next 10 days, we will be putting up new signs at the transfer station to help make things clear. He said we are silent to glass and returnable cans. Glass will go into a 40 yard down in the building. The signs will make things clear.
- H. Bruce Schmidt asked about 2nd home owners and if they get a sticker and the 52 bags. He said if they have someone pick up their trash, no bags.
- I. Frank Heald said right.
- J. Bruce Schmidt said if they want to get bags and pay for the sticker they may be able to use the transfer station when they are here and not have to pay for pick up.
- K. Frank Heald said the bags don't have to go over the scales. He said if someone takes a relative's bags, they can go in with the bags.
- L. Bruce Schmidt asked if a 2nd home owner uses 4 bags in weekend.
- M. Frank Heald said that is okay.
- N. Howard Barton asked about someone who doesn't have a vehicle, but wants bags.

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- O. Frank Heald said that is a wrinkle and more of an issue in the village. We may do a certificate of residence and give them a sticker and bags and someone else would be able to take the bags up to the station.
- P. Alan Isaacson asked where people who use all of their bags can get more.
- Q. Frank Heald said they will be available at the transfer station and town hall in rolls of 26 for \$25.00. That will comply with the state mandate of \$1.00 per bag.
- R. Alan Isaacson said that the recycling at the transfer station works and makes more money than single stream.
- S. Frank Heald said if we break down 20,000 from recycling and take out the metal, the returnables are about 3000 to 5000. The reasons for single stream are expedience and reduced trucking costs. A 40 yard container with 50 t0 60 lbs. is inefficient. This will also reduce the time people spend there. The state says that it will encourage more people to recycle because it's easier. He added that the village has decided to do away with residential pickup and that will add 200-300 more people going to the transfer station.
- T. Herb Van Guilder said that the state says to get the tonnage down. How will we control people with business permits who truck in trash from other towns?
- U. Frank Heald said it would be helpful to hear this on a case by case basis, instead of on TV at a public hearing. He said that he does not think it is as rampant as it appears. The trucker may be hired by someone from Ludlow and have a legitimate Ludlow haul and then go home to Chester. He added that no one has brought him any names, dates or facts about this.
- V. Herb Van Guilder said that he knows people who are upset because they know it's happening. He added that the staff is doing a great job up there. He said the state is doing up an injustice and we're going to get penalized. He said the swap shop was a big advantage.
- W. Howard Barton said the swap shop is the same.
- X. Herb Van Guilder asked if we are still getting money for cans and cardboard.
- Y. Frank Heald said not cardboard.
- Z. Herb Van Guilder said there is an amendment for towns in the forefront of recycling to help those towns.
- AA. Howard Barton asked if Frank Heald knew of this amendment.
- BB. Frank Heald said no.
- CC. Herb Van Guilder said the Cemetery Commission thanks the staff and municipal manager for their help with the cemetery.
- DD. Frank Heald said that there may be an amendment that deals with food wastes and it is a work in progress.
- EE. Larry Wilfong asked if the bags would be clear to help the police see what's in them.
- FF. Frank Heald said they are opaque violet and say Town of Ludlow Transfer Station. He suggested that if anyone needs to throw away something they don't want others to know about, put it in a bag inside the bag.
- GG. Logan Nicoll asked, in view of the Village ending their pickup service, have they considered adding hours at the transfer station.
- HH. Frank Heald said they will adjust as they go along.
- II. **MOTION by Brett Sanderson and seconded by Logan Nicoll to accept the transfer station rates as presented. Motion passed unanimously.**
- JJ. Frank Heald said the other dynamics are that if the village definitely does away with pickup, that will be 200 or so more people going through the transfer station. We had discussed a third compactor and there will be an additional 5 to 7 tons per week from the village. If it goes to the transfer station in open top containers the transportation costs will increase very soon. We talked to people about buying or leasing a compactor and will have to act rapidly. Material in

an open top 40 yard, unless ramped, the backhoe will be pulling and it's not a good idea. Also, the hours will have to increase, but we can't work the people longer. The first 90 days will be interesting. Staffing and time will come later, the compactor sooner.

- KK. Ted Reeves said that Springfield is talking about the same things and they are expecting their lines to double.

6. **Liquor Control Board**

- A. Frank Heald advised that Homestyle Hostel Inn and Café has applied for an outside consumption permit.
- B. Bruce Schmidt noted that on the application, Jeff Billings had changed the hours from the requested 9:00 a.m. to 2:00 p.m. to 12:00 noon to midnight. He said that the Pot Belly probably starts at about 11:00 a.m.
- C. Justin Hyjek said they are usually not open after 10 p.m. They may with coffee at 9 a.m., but that is late for a coffee shop.
- D. John Neal said this permit just refers to liquor.
- E. Justin Hyjek said they won't be selling much liquor at 9 a.m. They may have a brunch once a month.
- F. Brett Sanderson asked if 9 a.m. to midnight would work.
- G. Justin Hyjek said yes.
- H. **MOTION by John Neal and seconded by Logan Nicoll to approve the outside consumption permit for Homestyle Hostel Inn and Café from 9 a.m. to 12 a.m. Motion passed unanimously.**

7. **Consider Vacant & Dangerous Building Ordinance**

- A. Howard Barton noted that the Planning Commission brought this to the Select Board a couple of months ago and asked if there are any current issues.
- B. Alan Isaacson said there are none at this time in the town, one in the village. The Planning Commission thinks it's better to have the ordinance on the books before any problems arise.
- C. Howard Barton asked Frank Heald if the village has an ordinance in place.
- D. Frank Heald said yes. He added that it is the same as this one.
- E. John Neal said it is mostly housekeeping.
- F. Alan Isaacson said yes. This will protect you if there is an issue. You will have some leverage.
- G. Frank Heald said they used it in the village for the house on the Benson lot.
- H. Bruce Schmidt asked about Section 7.07 and the \$100 fee for a permit.
- I. Frank Heald said it is designed to make sure the building is secured. The house on the Benson lot was dangerous and we should have pursued the Jewel Brook Mill.
- J. Alan Isaacson said it also serves to notify the police and fire departments of who is responsible for the buildings.
- K. Bruce Schmidt said that while he agrees about planning, he is concerned that not everyone maintains their properties in the same way. It is a fine line. He feels strongly that we should not tell people how to maintain their property. There are no vagrants or kids hanging out.
- L. Alan Isaacson said the house would have to be vacant for this to apply.

- M. Bruce Schmidt said what about the people who use a building for storage. He said he is struggling with this ordinance.
- N. Alan Isaacson said it also allows for seasonal housing.
- O. Howard Barton said he is not comfortable, at this time with this.
- P. Logan Nicoll said he respects Bruce Schmidt's comments, but he is comfortable with the ordinance. He does not want to unduly burden people, but does not want to wait until an issue arises. He asked the board if they have any specific changes that they would like to see made in the ordinance.
- Q. John Neal said that no one has ever abused an ordinance and this is not a witch hunt. He said that he is comfortable with people who sit on the boards. He added that the village already has this ordinance.
- R. **MOTION by John Neal and seconded by Logan Nicoll to accept this ordinance. Motion did not pass. Logan Nicoll and John Neal in favor; Howard Barton, Brett Sanderson and Bruce Schmidt against.**

8. **Consider Ludlow Rotary Club Request RE: Okemo Bike Ride**

- A. Frank Heald said that this is a medium fund raiser for the Rotary and has been done in the past.
- B. Howard Barton asked if they would be using a portion of the town road.
- C. Frank Heald said yes, from the village to the state road by the Clock Tower.
- D. Bruce Schmidt said fire, ambulance and police are on board.
- E. **MOTION by Bruce Schmidt and seconded by John Neal to approve the Rotary request for the Okemo Bike Ride to be held on June 27, 2015. Motion passed unanimously.**

9. **Consider Killington Sports Car Request RE: Okemo Hill Climb**

- A. Howard Barton advised that a request has been received from the Killington Sports Car Club to do a hill climb at Okemo on July 11 and 12 and August 15 and 16, 2015.
- B. **MOTION by John Neal and seconded by Brett Sanderson to approve the request for the Okemo Hill Climb as presented. Motion passed unanimously.**

10. **Execute FY2016 Renewal Notes**

- A. Frank Heald advised that this is for renewable notes only, no new ones. This is for a variety of pieces of equipment and the same as last year.
- B. **MOTION by Logan Nicoll and seconded by Brett Sanderson to sign the renewable notes. Motion passed unanimously.**
- C. Frank Heald advised that the interest rate is favorable – 1.75%.

11. **Department Head Reports**

- A. Howard Barton advised that all reports are in.

12. **Other Business**

- A. **NARCAN Training**
 - i. Bruce Schmidt asked if there was any discussion in this town about NARCAN training. He has heard about it in other towns.
 - ii. Frank Heald said they carry it on the rigs and the Police and Ambulance people are trained.
- B. **Flagger Training**
 - i. Brett Sanderson asked about a note in Frank Heald's report about flagger training.
 - ii. Frank Heald said he had planned to go, but did not make it. He said he would try to get to the next one.
- C. **Bike Path**
 - i. Frank Heald said that we will submit a refined bike path application on July 17th and will need a short public hearing for it before then. He will schedule the hearing for the next meeting.

13. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be July 6, 2015 at 7:00 p.m.

14. **Sign Warrant Orders**

- A. Warrant orders have been signed.

15. **Possible Executive Session/Personnel/Contracts/Legal Issues**

- A. Frank Heald advised that a brief Executive Session is needed for Contracts.
- B. **MOTION by Logan Nicoll and seconded by John Neal that in accordance with the provisions of 1VSA §313 (1) (B), he moves that the Town of Ludlow Select Board enter into Executive Session to consider a proposed labor relations agreement with certain Municipal Employees and also the evaluation/appointment of certain municipal employees. The premature public knowledge of this proposed agreement would place the Town and Village of Ludlow at a substantial disadvantage. This motion for Executive Session includes the members present and the Municipal Manager. Motion passed unanimously.**
- C. Board entered into Executive Session at 8:07 p.m.
- D. Board exited Executive Session at 8:43 p.m.
- E. **MOTION by John Neal and seconded by Logan Nicoll to renew the Town Manager's contract through July, 2017. Motion passed unanimously.**

16. **Adjourn**

- A. **MOTION by Logan Nicoll and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll